

Ocean View School District
17200 Pinehurst Lane, Huntington Beach, CA 92647

 APPROVED

Special Board of Trustees' Meeting - Minutes

March 01, 2018

4:30 PM - Closed Session; Open Session Immediately Following

Trustees:

Jack Souders, President
John Briscoe, Vice President
Gina Clayton-Tarvin, Clerk
Norm Westwell, Member

Administration:

Carol Hansen, Ed.D., Superintendent
Michael Conroy, Ed.D., Deputy Superintendent, Administrative Services
Felix Avila, Assistant Superintendent, Human Resources

A. Call to Order

The Special meeting of the Board of Trustees was called to order by President Jack Souders at 4:30 p.m.

B. Roll Call

Members present: John Briscoe, Gina Clayton-Tarvin, Jack Souders, Norm Westwell

C. Agenda Adoption

Passed with a motion by John Briscoe and a second by Norm Westwell.

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Jack Souders
Yes Norm Westwell

D. * Closed Session

President Souders read aloud the items listed under Closed Session. The Board of Trustees moved to Closed Session at 4:31 p.m.

D.1. Government Code Section 54956.8: Conference with Real Property Negotiators -

Property: 4.4 acre parcel of land located at corner of Warner Avenue and Nichols Lane, commonly referred to as the "Wintersburg Property";
Agency Negotiators: Carol Hansen, Ed.D., Superintendent, Michael Conroy, Ed.D., Deputy Superintendent; **Negotiating Parties:** Ocean View School District of Orange County; Rainbow Disposal Co., Inc.; Nichols Street Properties LLC, Republic Services, Inc.; National Trust for Historic Preservation, and Trust for Public Land;

Under Negotiations: Instruction and authority provided to Negotiators will concern price, terms of payment, and conditions for the District's possible exercise of its option to purchase or right of first refusal to purchase.

E. Return to Open Session/Report of Closed Session Action

The Board of Trustees returned to Open Session at 5:04 p.m. There were no Closed Session actions to report.

F. Pledge of Allegiance

President Souders led the Pledge of Allegiance.

G. Public Comments

Christy Mack, parent and staff member, asked the Board to consider making a qualified provisional appointment for the vacancy on the Board, as opposed to holding a special election which would waste money that could be spent toward our students' education.

Scott Vanatta, staff member, urged the Board to appoint a provisional candidate for the position; noted the cost of a special election, and suggested waiting until November's election as there would be more of a voter turnout.

Bryan Leipper, staff member, thanked Trustee Gaglione for his years of service on the Board; stated that a provisional appointment would be more prudent at this time.

Jason Bozarth, CSEA President and staff member, expressed his gratitude to Trustee Gaglione for his service; requested a provisional appointment in a timely fashion so that the important work of the District can continue without the cost of a special election.

Holly Sjogren, staff member, thanked the Board and staff for supporting the puppy raising program of the Guide Dogs of America; asked that consideration be given to appoint a qualified provisional candidate instead of calling for a costly special election.

Marisa Joslyn, staff member, urged the Board to consider making a provisional appointment to ensure taxpayer dollars are being spent on deserving students and not a special election.

Caryn Keller, staff member and parent, supported the consideration of a provisional appointment instead of a special election.

Marie Schools, staff member, requested the Board consider appointing a provisional candidate; noted the cost of a special election would adversely affect the General Fund, and a November election would have a higher voter turnout.

Heather Dowland, staff member, commended Trustee Gaglione for his service and dedication to our students; encouraged the Board to appoint a qualified provisional candidate instead of calling for a costly special election.

Margaret Friedmann, OVTA President, recognized Trustee Gaglione for his service to the Board; asked the Board to make a provisional appointment as this would be in the best interest of the students.

H. New Business

H.1. Board Member Vacancy - Call for Election or Provisional Appointment (Action)

MOTION by Gina Clayton-Tarvin and seconded by Jack Souders to approve.

Trustee Westwell raised a Point of Order, requesting that the motion be read back.

Trustee Clayton-Tarvin clarified her motion to fill the Board vacancy through the provisional appointment process, and President Souders seconded the motion.

Trustee Clayton-Tarvin commented on the Board's fiduciary duty to the taxpayers, noting an appointment of a qualified provisional candidate would be in the best interest of the District and students.

Trustee Westwell expressed his opposition to a provisional appointment; shared the District's past history of calling for a special election in these circumstances; and mentioned the low threshold of signatures needed on a petition to remove the provisional appointee. He indicated his opinion could change if the candidate were to publicly state he/she would not run for the position in November; suggested considering past Board members, such as Debbie Cotton, Tracy Pellman, or Ralph Bauer.

Trustee Briscoe stated his support for a provisional appointment.

Trustee Clayton-Tarvin read information regarding the requirements of a petition, noting that the County Superintendent would call a special election if a provisional appointment was removed by a successful petition. Stating that the cost of a special election would be approximately \$300,000 per the Registrar of Voters' Office, Trustee Clayton-Tarvin reiterated her opposition to such a costly election.

Trustee Westwell questioned whether we could ask provisional appointment candidates to publicly declare they would not run for the position in November, to avoid a candidate seeking an advantage as an incumbent in the November election.

Dr. Hansen advised that this point could be raised during the interview process; however, she did not know of any legal recourse the Board would have if the individual changed his/her mind and campaigned for the position in November.

Trustee Westwell mentioned the possibility of waiting to fill the vacancy, when perhaps there would be many candidates interested in the position.

Referencing Robert's Rules of Order, President Souders noted that each trustee may speak twice on the same issue, for ten minutes each time.

Trustee Westwell raised a Point of Order, stating that under Robert's Rules of Order, unlimited debate among trustees on an item is allowed.

President Souders stated per Robert's Rules of Order, each Trustee may speak for ten minutes, two times on the same issue, unless there is a motion to extend.

Trustee Clayton-Tarvin raised a Point of Order, disagreeing with President Souders, as she noted there is no limit to how many times a trustee can have the floor to debate an issue. However, she agreed about the time limitation.

President Souders advised that per Robert's Rules of Order, each trustee is allowed to speak two times on an issue, for ten minutes each time; time cannot be carried over nor given to another trustee; debate can only be extended by a motion.

Vote on motion to fill the Board vacancy through the provisional appointment process:

Yes: John Briscoe
Yes: Gina Clayton-Tarvin
Yes: Jack Souders
No: Norm Westwell

I. Adjournment

Time: 5:34 p.m.

Passed with a motion by John Briscoe and a second by Gina Clayton-Tarvin.

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Jack Souders
Yes Norm Westwell



Carol Hansen, Ed.D., Superintendent



Gina Clayton-Tarvin, Board Clerk

3/20/18

Date